

EXHIBIT B - CONDITIONS OF APPROVAL

Tentative Parcel Map CO15-0053/SUB2015-00002 (Kendall Road LLC)

Approved Project

1. This approval authorizes:
 - a. A Vesting Tentative Parcel Map (CO 15-0053) to subdivide an existing 2.29 acre parcel into two parcels of 1.32 and 0.96 acres each for the purpose of sale and/or development.
 - b. All conditions of approval from Conditional Use Permit S00007U as amended by subsequent land use permits (attached hereto) shall apply to future development on both parcels.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. The existing Kendall Road curb, gutter, sidewalk and driveway fronting the project site shall be reconstructed to repair deteriorated improvements and/or upgraded as required to conform to current Public Improvement Standards for an A-2 urban street standard.
 - b. The existing Allene Way curb, gutter, sidewalk and driveway fronting the project site shall be reconstructed to repair deteriorated improvements and/or upgraded as required to conform to current Public Improvement Standards for an A-2 urban street standard.
 - c. Construct new county standard B-3 driveway approaches.
 - d. Existing driveway approaches to be abandoned shall be removed and replaced with concrete curb, gutter and sidewalk per county standards.

Drainage

3. On-going condition of approval (valid for the life of the project), the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Stormwater Control Plan

4. At the time of application for construction permits, the applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Stormwater Management by submitting a Stormwater Control Plan (SWCP) to show what is required to satisfy post construction requirements for stormwater treatment. It shall be prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Control Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.

- a. If stormwater treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own stormwater treatment on site but based on the performance requirements determined by the total new or replaced impervious square footage of the subdivision.

Fire Protection

5. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CalFire) establishing fire safety requirements prior to filing the final parcel or tract map.

Inclusionary Housing

6. **Prior to issuance of a construction permit for Proposed Parcel 2**, the applicant shall pay the housing impact fee as required by Land Use Ordinance (LUO) Section 22.12.080.F.1, or may defer fee payment pursuant to LUO Section 22.12.080.J.4. As an alternative the applicant may provide housing units or a land donation, pursuant to LUO Section 22.12.080.F.3.

Easements

7. The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel **prior to filing of the final parcel or tract map**.

Additional Map Sheet

8. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. Notification to prospective buyers that all subdivision roads and streets are to be privately maintained until accepted for maintenance by a public agency.
 - b. All driveway approaches shall be constructed in accordance with County Public Improvement Standards.
 - c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
 - d. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
 - e. Stormwater treatment facilities shall be maintained and inspected in perpetuity as stipulated in the "Private Stormwater Conveyance Management and Maintenance System" exhibit (to be recorded as a Constructive Notice).
 - f. The property owner shall be responsible for the operation and maintenance of public road frontage sidewalks, landscaping, street lighting, and pedestrian amenities in a viable condition and on a continuing basis for perpetuity, or until specifically accepted for maintenance by a public agency.

Covenants, Conditions and Restrictions

Attachment 2

9. The developer shall remain with the existing Tract 2368 Property Owners' Association to ensure adequate private maintenance, acceptable to the Department of Planning & Building, and in conformance with the requirements of the State Department of Real Estate. The CC&Rs shall be the same as to those established for Tract 2368.

Miscellaneous

10. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
11. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING
COMMUNITY WATER AND COMMUNITY SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved Public water source shall be assured prior to the filing of the final map. A “final will serve” letter shall be obtained and submitted to the Environmental Health Services for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Construction of required improvements (water main extensions, laterals to each parcel) may be delayed, through preparation of plans, posting of bonds, and subject to the approval of County Public Works, Environmental Health Services, and the public water utility. However, bonding may not occur for the water well(s) construction, quantity and quality.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by Environmental Health Services.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and Environmental Health Services destruction standards. The applicant is required to obtain a permit from Environmental Health Services.
5. When a potentially operational or existing auxiliary water supply (in the form of an existing well(s)) is located on the parcels created by this subdivision and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Code).
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a “final will serve” letter be obtained and submitted to Environmental Health Services for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of the County Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from County Public Works for any work to be done within the county right-of-way.

Attachment 2

10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "check prints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be completed prior to recordation of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with the Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.